

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2001-259-W/S - ORDER NO. 2001-976
OCTOBER 1, 2001

IN RE: Consumer Advocate for the State of)	ORDER SETTING
South Carolina,)	MATTER FOR
)	ORAL ARGUMENTS
Complainant,)	
)	
vs.)	
)	
Carolina Water Service, Inc.,)	
)	
Respondent.)	
)	
)	

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of a Motion from the Consumer Advocate for the State of South Carolina (Consumer Advocate). On February 23, 2001, Carolina Water Service, Inc.(CWS or the Company) filed an application with the Commission for adjustment of rates and charges for the provision of water and sewer service. CWS's application, which was filed on February 23, 2001, was filed under Docket Number 2000-207-W/S. Thereafter, the Consumer Advocate filed a Motion with the Commission for an Order which would expand the scope of Docket Number 2000-207-W/S to allow for an examination of all CWS' rates, charges, and tariff provisions. On May 24, 2001, the Commission issued Order Number 2001-498. In Order Number 2001-498, the Commission denied the Consumer Advocate's Motion (Motion) to expand the scope of

Docket Number 2000-207-W/S; however, the Commission directed the Commission Staff to open a new docket to address the Motion.

Thereafter, the instant docket was opened and the Motion was treated as a formal complaint. The Commission's Executive Director served CWS' counsel with a copy of the Consumer Advocate's Complaint (Complaint) and the Executive Director instructed the Company's counsel to answer the allegations in the Complaint within thirty days after service.

In response to the Complaint, the Company filed an Answer and a Motion to Dismiss. In its Answer and Motion to Dismiss, the Company raises several defenses and/or grounds, including lack of standing, laches, mootness, and res judicata/collateral estoppel, as to why the Complaint should be dismissed.

Accordingly, due to the nature of the Complaint, Answer and Motion to Dismiss, we believe that oral arguments should be set before this Commission so that the parties can expand upon the assertions made in their original pleadings, and answer any questions that this Commission may have about this proceeding. The Commission Staff shall also be a participant in these arguments, along with the intervenors, if any. The Commission Staff shall set this matter for oral argument at such time as may be just and proper.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

Chairman

ATTEST:

Executive Director
(SEAL)